

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TEAMSTERS LOCAL 456 PENSION, HEALTH & WELFARE, ANNUITY, EDUCATION & TRAINING, INDUSTRY ADVANCEMENT, AND LEGAL SERVICES FUNDS, by Louis A. Picani, Joseph Sansone, Dominick Cassanelli, Jr., Jeffrey Singer, Ross Pepe, and John T. Cooney as Trustees and Fiduciaries of the Funds, and WESTCHESTER TEAMSTERS LOCAL UNION NO. 456,	Plaintiffs, - against -	DEFAULT JUDGMENT
M. CHIULLI INDUSTRIES, LLC and ANTHONY CHIULLI, Individually,	Defendants	Civil Action No. 7:23-cv-11198 (PMH)

UPON THE READING AND FILING OF THE ORDER TO SHOW CAUSE filed by the Plaintiffs, the Trustees of the Teamsters Local 456 Pension, Health and Welfare, Annuity, Education and Training, Industry Advancement, and Legal Services Funds together with the Westchester Teamsters Local Union No. 456, as well as the Affidavit of Daniel Kornfeld, dated the 1st day of March 2024, the Affidavit of Brenda Ritch, dated the 29th day of February 2024, the Complaint, the Memorandum of Law, the Statement of Damages, and the Affidavits of Service together with the exhibits attached thereto; and

UPON the failure of Defendant M. Chiulli Industries LLC and Anthony Chiulli, individually, to appear before the Honorable Court;

IT IS HEREBY ORDERED pursuant to Rules 54 and 55 of the Federal Rules of Civil Procedure, as well as Section 502(g)(2) of the Employee Retirement Income Security Act of 1974, as amended (“ERISA”), 29 U.S.C. §1132(g)(2), and Section 301(a) of the Labor Management Relations Act of 1947 (“LMRA”), 29 U.S.C. §185(a):

1. That Plaintiffs’ Motion for Default Judgment is hereby **GRANTED**; and

2. That Plaintiffs shall recover judgment against Defendants M. Chiulli Industries LLC and Anthony Chiulli, joint and severally in the total amount of \$12,296.95, representing \$9,112.80 in contributions related to work in covered employment during the period April 1, 2023 through May 31, 2023, plus \$3,184.15 in attorneys' fees and costs; and
3. That Plaintiffs shall additionally recover judgment against Defendant M. Chiulli Industries LLC in the amount of \$1,995.40, representing \$597.60 in deductions for the period April 1, 2023 through May 31, 2023, plus \$486.52 in interest, plus \$911.28 in liquidated damages; and
4. That Plaintiffs shall additionally recover judgment against Defendant Anthony Chiulli for \$1,094.67 in interest; and
5. That the Plaintiffs shall have immediate execution on this Judgment, and Plaintiffs shall be entitled to post-judgment interest at the rate provided for by 29 U.S.C. §1961(a).

Dated: April 11, 2024
White Plains, New York

ENTERED:


Honorable Philip M. Halpern
U.S. District Court Judge